

Amendments to the Drawings

The attached replacement sheet of a drawing includes changes to Fig. 1, where a reference letters B1 and B2 have been deleted. The replacement sheet is intended to replace Fig. 1 currently before the Examiner.

Attachment: Replacement Sheet

Remarks

Claims 1-4 are currently pending in the Application and Claim 5 is newly presented herein.

Specification amendment

This response amends paragraph at page 7, lines 4-24 to clarify that reference letters B1 and B2 are depicted in Figure 2 of the application as originally filed.

Summary of claim amendments

This response amends Claims 1-4 to clarify the language of the claims. Support for the amendments to Claim 1 can be found, for example, in Figure 4 of the present application. Support for the amendments to Claim 2 can be found, for example, on page 10, l. 5 of the application. Support for the amendments to Claim 3 can be found, for example, in Figure 5 and page 10, l. 18 to page 11, l. 10 of the present application. Support for the amendments to Claim 4 can be found, for example, on page 16, first paragraph of the application.

New Claim

This response adds new Claim 5 to more completely claim the invention. Support for the new Claim 5 can be found, for example, on page 10, l. 18 to page 11, l. 10 of the present application.

Drawing objections/amendments

The Examiner objects to Figure 1 for allegedly not using Roman or Arabic numerals for denoting cross-sections, for allegedly not using dashed reference lines from reference numbers 13 and 20-21 to denote underlying structures and for allegedly not using separate reference lines for each reference letter B1 and B2 (p. 2 of the Office Action). Applicant strongly object to the Examiner's objections.

Applicant respectfully request that the Examiner clearly identify an MPEP section that requires that Roman or Arabic numerals must be used to denote cross-sections and/or that

dashed reference lines from reference numbers 13, 20 and 21 must be used to denote underlying structures. The Examiner appears to rely on facts within his personal knowledge for requesting that Applicant comply with such requirements. Applicant submits that these requirements are improper and not required. Should the Examiner disagree, the Examiner is requested to provide support for the requested amendments.

In the interest of moving this application closer to allowance, Fig. 1 has been amended by deleting reference letters B1 and B2.

Description rejections

Specification stands rejected under 35 U.S.C. §112, first paragraph, for allegedly containing terms that are not clear, concise and exact. Specifically, the Examiner is noting that second paragraph on page 1 of the present application contains terms that are unclear, inexact or verbose. Applicant objects to the Examiner's assertions.

According to 35 U.S.C. §112, first paragraph, specification shall contain "clear, concise and exact terms ... **to enable any person skilled in the art ... to make and use**" (emphasis added) the invention. Applicant respectfully submit that the second paragraph on page 1 of the present application does not appear to contain terms that would prevent person skilled in the art to make and use present invention. The Examiner is requested to be more specific by clearly identifying terms in the present specification that do no clearly, concisely and exactly enable person skilled in the art to make and use present invention. Otherwise, the rejection should be withdrawn.

The Examiner further objects to the section subtitles of the present disclosure for allegedly not complying with 37 CFR 1.177(b) (p. 3, ll. 7-8 of the Office Action). Applicant is confused with respect to the Examiner's rejection. Section 1.177 of 37 CFR pertains to "Issuance of multiple reissue patents." How exactly are section subtitles supposed to comply with "Issuance of multiple reissue patents"? Applicant respectfully request that the Examiner either clarify or withdraw the rejection.

The Examiner also objects to the specification for referencing the inventor (p. 3, ll. 8-9 of the Office Action). Applicant respectfully requests that the Examiner identify an MPEP section that supports the Examiner's reasons for this objection.

Applicant respectfully submits that referencing the inventor in the specification is allowed under MPEP as evidenced by the following. Applicant's search of the USPTO web site revealed at least two granted U.S. patents (U.S. 7,415,531 and U.S. 7,415,416) referencing the inventor in the specification. See partial printouts of U.S. 7,415,531 and U.S. 7,415,416 enclosed herein. At least in view of the fact that other U.S. patents have been granted by the USPTO referencing the inventor, Applicant requests that the objection be withdrawn.

Claim objections

Claims 1-4 are objected due to informalities (p. 3, section 4 of the Office Action).

Applicant requests that the objection be withdrawn in view of the claim amendments presented above.

35 U.S.C. §112, second paragraph, rejection

Claim 4 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant requests that the rejection be withdrawn in view of the claim amendments presented above.

35 U.S.C. §102(b) and §103(a) rejections

Claims 1 and 3-4 stand rejected under 35 U.S.C. §102(b) and/or 35 U.S.C. §103(a) in view of Cammarota ('119) and Timmons ('211). Claim 2 stands rejected under 35 U.S.C. 35 U.S.C. §103(a) in view of Cammarota ('119), Timmons ('211) and Inoue ('126). Applicant respectfully disagrees. Applicant submits that the cited references do not

teaches each and every element as set forth in the rejected claims as amended. In particular:

Claim 1

Applicant submits that the cited references do not disclose, suggest or teach, *inter alia*, the following features recited by amended Claim 1 of the present application:

“**a hydrophilic resin coating layer** disposed between the absorbent and the water vapor permeable waterproof sheet, and **information mark layer** disposed between the hydrophilic resin coating layer and the absorbent”
 (emphasis added)

Referring to Cammarota’s Figure 9B reproduced below, the Examiner asserts that the “absorbent” as recited in Claim 1 is disclosed by Cammarota’s layer 44 (p. 5, section 8 of the Office Action). The Examiner also asserts that “the water vapor permeable waterproof sheet” as recited in Claim 1 is disclosed by Cammarota’s portion 116 (p. 5, section 8 of the Office Action). Applicant respectfully traverses the Examiner’s assertion.

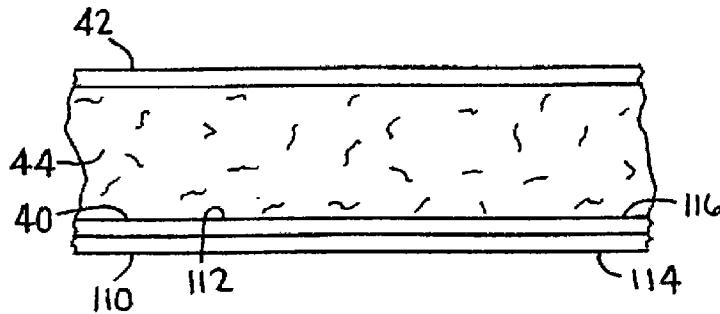


FIG. 9B

Although Cammarota may disclose having active graphics between layers 112 and 44, Cammarota does not teach, disclose or suggest placing two different layers between layers 112 and 44. Contrary to Cammarota, “hydrophilic resin coating layer” and “information mark layer” recited in Claim 1 are disposed between the “absorbent” and the “water vapor permeable waterproof sheet” as recited in amended Claim 1.

Because Cammarota does not teach, disclose or suggest placing two layers between

layers 112 and 44, Cammarota does not teach, disclose or suggest “a hydrophilic resin coating layer disposed between the absorbent and the water vapor permeable waterproof sheet, and information mark layer disposed between the hydrophilic resin coating layer and the absorbent” as recited in amended Claim 1. Hence, Claim 1 is patentable and should be allowed by the Examiner.

Claims 2-5, at least based on their dependency on Claim 1, are also patentable over the cited art.

Conclusion

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415

I hereby certify that this document is being transmitted to the Patent and Trademark Office via electronic filing.

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Respectfully submitted,

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Encls: Partial printouts of U.S. 7,415,531 and U.S. 7,415,416
Replacement Sheet